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5 *Attorney for Plaintiff/Counter-Defendant*  
6 BOSTON BEER CORPORATION

7 **UNITED STATES DISTRICT COURT**  
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

10 BOSTON BEER CORPORATION, a  
11 Massachusetts corporation,

13 Plaintiff,

14 v.

15 DONAGHY SALES, INC., a California  
corporation;

17 Defendant.

CASE NO.: 1:23-CV-00674-SKO

12 **STIPULATION REGARDING**  
13 **SCHEDULING AND EXTENDING TIME**  
14 **TO RESPOND TO COUNTERCLAIM**  
15 **AND ORDER**

17 (Doc. 15)

19 Judge: Hon. Sheila K. Oberto

18 DONAGHY SALES, LLC, a California limited  
19 liability corporation,

21 Counter-Plaintiff,

22 v.

23 BOSTON BEER CORPORATION, a  
24 Massachusetts corporation

25 Counter-Defendant.

## **STIPULATION**

Pursuant to Civil Local Rules 143 and 144, Plaintiff/Counter-Defendant Boston Beer Corporation (“Boston Beer”) and Defendant Donaghy Sales, Inc./Counter-Plaintiff Donaghy Sales LLC (“Donaghy”), by and through their respective counsel, enter into this Stipulation with respect to the following facts:

On May 2, 2023 Plaintiff filed its Complaint against Defendant in this matter. (ECF No. 1.)

On June 2, 2023, Plaintiff served the Complaint upon Defendant. (ECF No. 6.)

Following two agreed extensions attributable to the successful resolution of a conflict issue, Donaghy filed its Answer, Affirmative Defenses and Counterclaim on August 17, 2023. (ECF No. 10.)

Presently, any response to the Counterclaim is due September 26, 2023. (ECF No. 14.). Due to an unanticipated personal issue for Plaintiff's counsel regarding his mother, the parties have agreed, subject to the Court's approval, that the due date for the filing of a response to the Counterclaim shall be up to and including September 29, 2023. This will not affect the timing of the Initial Scheduling Conference set for this matter on October 12, 2023 or the joint report due in advance of that conference. (ECF No. 14.)

IT IS HEREBY STIPULATED AND AGREED by and between the parties and their respective counsel, for good cause shown, that Plaintiff/Counter-Defendant shall have through and including September 29, 2023 within which to file its response to the Counterclaim.

Dated: September 26, 2023

DORSEY & WHITNEY LLP

By: Patricia A. Welch  
PATRICIA A. WELCH

Attorneys for Defendant Donaghy Sales, Inc.

1 Dated: September 26, 2023

PROSPECT LAW LLP

3 By: /s/ Derek J. Meyer

4 DEREK J. MEYER

5 Attorneys for Plaintiff Boston Beer Corporation

6 **ORDER**

8 Pursuant to the parties' foregoing stipulation (Doc. 15), and for good cause shown, it is  
9 hereby ORDERED that Plaintiff/Counter-Defendant shall have through and including **September 29,**  
10 **2023**, within which to file any response(s) to the Answer, Affirmative Defenses and Counterclaim  
11 (including but not limited to any motions under FRCP 12).

13 IT IS SO ORDERED.

14 Dated: September 27, 2023

/s/ Sheila K. Oberto

15 UNITED STATES MAGISTRATE JUDGE